

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

RECEIVED AND FILED
2000 AUG 29 PM 1:09
CLERK'S OFFICE-ANNEX
U.S. DISTRICT COURT
OLD SAN JUAN, PR

BRENDA PEREZ PANIAGUA,
et al.,

Plaintiffs,

v.

CIVIL NO. 98-2318 (RLA)

DR. JOSE R. ALVAREZ-RUIZ,
et al.,

Defendants.

ORDER IN THE MATTER OF DEPOSITION OF
DR. PEDRO ROSSELLO

The parties have brought to the Court's attention the fact that they have unsuccessfully attempted to make arrangements to take the deposition of the HONORABLE PEDRO ROSSELLO on various occasions in matters related to this case notwithstanding having subpoenaed him twice to provide testimony. DR. ROSSELLO was a treating physician of plaintiff JOSHUA ALVAREZ and in fact operated on him in 1990 and his testimony is essential in this action. According to counsel for DR. ROSSELLO, current governor of Puerto Rico, his busy calendar does not allow time available for the taking of the deposition.

The parties have indicated that LUIS BERRIOS AMADEO, ESQ. of the Law Firm of CANCIO, NADAL, RIVERA, DIAZ & BERRIOS is representing DR. ROSSELLO in this matter.

CIVIL NO. 98-2318 (RLA)

Page 2

1
2 Because of the inability to take DR. ROSSELLO's deposition
3 Trial originally set for August 22, 2000 had to be continued to
4 February 6, 2001.

5 Based on the foregoing, DR. PEDRO ROSSELLO is hereby ORDERED
6 to appear for the taking of his deposition though oral examination
7 **after November 7, 2000** at a date, time and place to be coordinated
8 with counsel for plaintiffs.

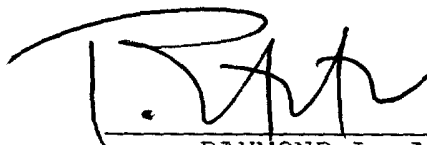
9 It is further ORDERED that DR. ROSSELLO shall produce for
10 inspection and copying to LUIS R. MELLADO GONZALEZ, ESQ., counsel
11 for plaintiffs, **at least 10 days prior to his deposition** all his
12 office medical records pertaining to his intervention with JOSHUA
13 ALVAREZ MENDEZ including all records on pre-surgery evaluations,
14 consultations and examinations though surgery and post-surgery
15 visits and treatments.
16

17 DR. ROSSELLO is hereby admonished that failure to comply with
18 the terms of this Order may result in the imposition of sanctions.

19 This Order may be served upon the deponent by private process
20 server.

21 IT IS SO ORDERED.

22 San Juan, Puerto Rico, this th 25 day of August, 2000.

23
24 

25 RAYMOND L. ACOSTA
26 United States District Judge